

**Memorandum of the Meeting  
Regular Study Session/Meeting  
Twenty-Eighth Town Council of Highland  
Monday, October 20, 2014**

The regular study session of the Twenty-Eighth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, October 20, 2014** at the time of 7:05 o'clock p.m.

**Silent Roll Call:** Councilors Bernie Zemen, Dan Vassar, and Konnie Kuiper were present. Councilors Dennis Adams and Mark A. Herak were absent. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

**Additional Officials Present:** John M. Bach, Public Works Director; and Kenneth J. Mika, Building Commissioner were also present.

*Also present:* Ed Dabrowski IT Director (Contract); Randy Bowman, Assistant Inspector for Electrical; and Steve Mileusnich, Advisory Board of Zoning Appeals were also present.

**Additionally Present:** Police Officer Erich Swisher, F.O.P President; Deputy Commander John Banasiak, Corporal Glenn Cox, Sergeant Michael O'Donnell, Detective Jimmy White, and Corporal Chris Balbo, and of the Highland Metropolitan Police Department were present.

**General Substance of Matters Discussed**

1. *Discussion of Wages and Salaries for the Highland Metropolitan Police Department/Meet and Confer.* (It is noted that pursuant to the "Meet and confer" law, IC 36-8-22, there was an election supervised and certified by the Indiana Department of Labor, in which the Donald Sheppard Memorial Lodge No. 122 was recognized as the employee organization to serve as the exclusive employee representative for the sworn personnel of the Highland Metropolitan Police Department. This certification and election was conducted on April 1<sup>st</sup> 2008. The Town Council President received a letter requesting that the Town Council and the FOP meet and confer to discuss wages on August 15, 2014. )

The FOP President presented a letter representing aspirations for pay and wages. It offered the request of five percent (5%) in 2015. There was a request for an increase to the longevity pay as well. The FOP President also noted that in the Town of Dyer there was an increase for the police officers that was greater than the civil, non-public safety workers.

There was colloquy between and among the FOP President, Corporal Glenn Cox and the Town Clerk-Treasurer regarding the permissible uses for the Public Safety Income Tax, in the course of collection. It was noted that the proposed budget for FY 2015 has committed a portion to pay the cost of a lease purchase over three of the acquisition of the radio equipment as part of the PSAP. It was further noted that the full proceeds were not committed.

2. *Discussion with the Building Commissioner and the Public Works Director regarding proposed Changes to the Snow Route Provisions in the Municipal Code.* The Public Works Director and the Building Commissioner presented modifications recommended by the Traffic Safety Commission to the current regime for Snow Routes and traffic management associated with the snow removal from the streets.

The Building Commissioner and the Public Works Director explained that under the proposed modifications, all roads would be snow restricted following a snowfall or event. In addition, some modifications to the contractor provisions in the municipal code were suggested that would require all licensed contractors to have clear

identification on the vehicles as they deliver services. This would support better regulation of the various snow plowing contractors.

The proposed changes would still further prohibit the discharge or depositing of snow into the public way.

It was noted that the parking prohibition during a snow event would have some complications. There are neighborhoods with no meaningful off-street parking. It was noted that some accommodation might include alternating sides of the streets to be allowed for parking depending on the day of the week, for such neighborhoods.

With leave from the Town Council, the Town Council President recognized Mr. Brian Kawa, 3111 Franklin Street, Highland, who sought clarifications about where his neighborhood might be able to park as it does not have sufficient alternatives for off street parking.

The Town Council exhibited no readiness to move forward with the ordinance but wanted further deliberation. It was noted that two members of the Council were not present and their points of view were desirable to inform the deliberation and discussion.

The Town Council thanked the Building Commissioner and the Public Works Director for the presentation. The Public Works Director departed. The Building Commissioner remained.

3. The Town Attorney briefed the Town Council on the status of the City of Hammond Sanitary District litigation with the customer communities regarding the validity of the current wastewater treatment services contract with the Town of Highland, the Town of Griffith and the City of Whiting. Noting that the City of Hammond was pursuing an appeal of the trial court finding that the agreement was in effect. He presented the appeals brief that was being filed in response.
4. The Town Attorney reported on the "value engineering" cost reductions to the police station construction project had been reviewed and approved evidenced by the signature of Councilor Dennis Adams, who serves as the Council Liaison to the project. He also distributed written materials related to the briefing. It was noted that Commander George Georgeff would be the point of contact with the Police Department as the project advances. The Town Attorney also reported that an informal project processing procedure was established.
5. The Town Attorney also discussed the need to clarify or explore the City of Hammond's assertion that the Town needs to obtain a capacity certification from the City for any new construction regardless if there is the belief that there is not new loadings from the development. Hammond raised the issue in recent discussions with representatives of the Highland Sanitary District. The Hammond city representatives expressed concerns that the Prairie Square Development was allowed to proceed on the site of the former Shaver Pontiac auto dealership on 45<sup>th</sup> Avenue, without clearance from Hammond. It had been the belief of the Town that since the new development would be using the existing infrastructure that supported Terry Shaver, an already approve capacity no further approval was sought. The Town Attorney indicated that key staff and policy officials from both communities could be soon convened to explore the matter further with the hope of achieving clarification and resolution.
6. The Town Attorney also discussed his initial inquiries related to complaints that the Prairie Square development seemed to be marketing its site as more like residential

apartments rather than the extended stay type hotel that had been the basis for its approval as a development.

7. The Town Attorney and the Clerk-Treasurer reported to the Town Council about a wrinkle in the lease-purchase financing that had been solicited and approved between the Town of Highland and First Financial Bank supporting the acquisition of public safety communications equipment that was compatible with the consolidated dispatch center and Public Safety Answering Point (PSAP) being assembled in consequence of state legislative requiring the consolidation of the PSAPs in all counties. Lake County has 17 PSAPS that need to be consolidated.

It was explained that somehow another level of legal review was sought regarding the lease-purchasing financing and in consequence of that, First Financial was seeking to modify the agreement to make it a *non-abatement* lease. This would also mean that unlike the current agreement, the outstanding amount on the lease rental would still be treated as debt tolling against the debt capacity of the Town under Article 13 of the Indiana Constitution. The Clerk-Treasurer and the Town Attorney assured the Town Council that it would not unduly restrict the debt capacity of the Town and that the Town should move forward with the procurement with the adoption of a modified lease agreement to be delivered by First Financial Bank.

8. Finally, the Town Council discussed the desirability of cancelling the November 3 standing study session as the meeting room will be in preparation for the General election to be held Tuesday, November 4.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, October 20, 2014**, was adjourned at 8:25 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer